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Filing date: **06/01/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91211530
Party	Plaintiff J-Lynn Entertainment, LLC
Correspondence Address	NEADOM T MEDINA J LYNN ENTERTAINMENT LLC PO BOX 12365 MILL CREEK, WA 98012 UNITED STATES tamar@j-lynnentertainment.com
Submission	Other Motions/Papers
Filer's Name	Neadom T Medina
Filer's e-mail	tamar@j-lynnentertainment.com
Signature	/Neadom T Medina/
Date	06/01/2015
Attachments	Notice_of_Deposition_Neadom_T_Medina_Opposition_91211530.pdf(43102 bytes)

Please Take Notice that, pursuant to Rule 30(b)(1)(4) of Federal of Civil Procedure, Opposer J-Lynn Entertainment LLC (“Opposer”) will take the deposition upon oral examination of Neadom T Medina regarding this Trademark cancellation and opposition proceeding against Applicant William T Odonnell and regards the subject matters listed in the attached Exhibit A. Please take further notice that this examination will commence at 8:00am Pacific Standard Time on June 12^h 2015 at Likkel & Associates Court Reporters and Legal Video located at 2722 Colby Ave Suite 706, Everett, WA 98201, which was noted via email to Mr. Swyers on June 1st 2015. Likkel & Associates Court Reporters and Legal Video contact phone is 1-800-686-1325. A court reporter from Likkel & Associates Court Reporters and Legal Video will be administering the oath to Mr. Medina and taking record of this deposition. This deposition will made via telephone conference call at Likkel & Associates Court Reporters and Legal Video office. Neadom T Medina of J-Lynn Entertainment LLC will be administrating the deposition questions upon himself and will last 60 to 120 minutes. The number to attend the conference call and exhibits for the deposition will be provided to William T Odonnell’s attorney Matthew W Swyers via email in the coming days.

If you have any questions or concerns please contact Neadom T Medina (“Member”) of J-Lynn Entertainment LLC via telephone at 440-610-5827 or email at tamar@j-lynnentertainment.com.

Respectfully submitted on June 1st, 2015

J-Lynn Entertainment, LLC
/Neadom T Medina/
Neadom T Medina
PO BOX 12365
Mill Creek, WA 98082
440-610-5827
tamar@j-lynnentertainment.com
Petitioner

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board

Registration No. 3682041

For the mark ADVENTURES OF SHADOW,

J-Lynn Entertainment, LLC,

Petitioner,

vs.

William T. Odonnell,

Registrant.

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Cancellation No. 92056491

Opposition No. 91211530

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I respectfully submitted a copy on this Notice of Reliance upon the Applicant and his counsel on June 1st 2015, to the Trademark Trial and Appeal Board and to be served, via first class mail and via email, postage prepaid, upon:

Matthew H. Swyers
The Trademark Company
2703 Jones Franklin Road, Suite 206
Cary, NC 27518

The Trademark Company
344 Maple Avenue West, PMB 151
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William T Odonnell Jr
PO Box 771 Bayside, CA 95524

William T Odonnell Jr
7873 ½ Myrtle Ave Eureka, CA 95503

/Neadom T Medina/

Neadom T Medina

Member
PO BOX 12365
Mill Creek, WA 98082
440-610-5827

EXHIBIT A

DEFINITIONS

- A. The term “Applicant’s Mark” means Applicant William T Odonnell Jr’s mark “Adventures of Shadow” and Design, which currently registered and pending additional federal application in the classification of goods and services for clothing.
- B. The term “Opposer’s Mark” means Applicant J-Lynn Entertainment LLC’s mark “The Adventures of Shadow Cat” for which it owns a pending federal application.
- C. The term “Applicant” means William T Odonnell, and anyone or entity action on his including without limitation to officers, directors, members, employees, stockholders, partners, predecessors, limited liability companies, dba’s, subsidiaries, affiliates, agents, representatives, and attorneys.
- D. The term “Opposer” means William T Odonnell, and anyone or entity action on his including without limitation to officers, directors, members, employees, stockholders, partners, predecessors, limited liability companies, dba’s, subsidiaries, affiliates, agents, representatives, and attorneys.
- E. The term “communication” means the transmittal of information, in the form of facts, ideas, inquiries, or otherwise.
- F. The term “concerning” as used herein means relating to, referring to, describing, or constituting.
- G. The terms “and” or “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of discovery request all responses that might otherwise be construed to be outside of its scope.
- H. The use of the singular form of any word includes the plural and vice versa.
- I. The terms “fraud” and “fraudulent” as used herein means the act of misleading, the act of providing false information, the act of trickery, any act of deception, instances of deceit, false statements, alterations to mislead or misinform, or the act of a hoax.
- J. The term “mental illness” as used herein means born with or suffering from mental or psychological conditions including but not limited to obsessive compulsive disorder, autism, asperger syndrome, obsession, intrusive thoughts, a mental disorder not allowing the Applicant to properly manage his trademarks, a mental disorder that would lead the Applicant to give false information, intrusive thoughts, delusional disorders, attachment disorders, obsession with animals, obsession with dogs, and other forms of obsessive and obtrusive behavior.

TOPICS FOR DEPOSITION

1. William T Odonnell Jr's ("Applicant") harassing J-Lynn Entertainment LLC, it's members and other individuals and organizations.
2. William T Odonnell Jr's ("Applicant") motivation for threatening lawsuits against J-Lynn Entertainment LLC and other individuals and organizations.
3. William T Odonnell Jr's ("Applicant") giving of fraudulent information and materials when submitting trademark applications to the United States Patent and Trademark Office.
4. William T Odonnell Jr's ("Applicant") inability to provide the Opposer with records of sales receipts, sales records, and taxes paid for products using the Applicant's Adventures of Shadow Mark.
5. William T Odonnell Jr's ("Applicant") action of deception by modifying and removing information from his water bottle labels during the Opposer's Written Discovery request.
6. William T Odonnell Jr's ("Applicant") belief that he has exclusive rights to the word "Shadow" and "Adventures." The basis for his belief, and why his rights supersede all previous uses of the two words in various combinations by various individuals and companies for publications, films, games, movies, books, software, clothing, toys, and other various merchandise over the last two centuries.
7. How did Neadom T Medina ("Plaintiff") come to learn about William T Odonnell and his mark "Adventures of Shadow".
8. William T Odonnell Jr's ("Applicant") use and motivation of using his mark with clothing.
9. William T Odonnell Jr's ("Applicant") inability to provide a water bottle sample to the Opposer during a Written Discovery request.
10. William T Odonnell Jr's ("Applicant") inability or objection to providing information during discovery about the use of his mark in commerce. Information that should easily provide if someone had been using their mark in commerce since 2007.
11. Why William T Odonnell Jr's ("Applicant") has not sold any films, t-shirts, books, and water bottles prior to the filing of these proceedings.
12. Why William T Odonnell Jr's ("Applicant") told an IPCybercrime investigator that he has no videos available and is still filming even though he indicated to the USPTO that the mark was already being used in commerce.
13. General questions on the IP Cyber Crime report and its findings on William T Odonnell Jr's ("Applicant") and the use of his mark and goods sold in commerce.
14. William T Odonnell Jr's ("Applicant") admission during the investigation that videos were not made that would relate to the Applicant's Mark.
15. William T Odonnell Jr's ("Applicant") conception, creation, selection, design, and decision to use or intent to use the Applicant's Mark on the Applicant's products and/or services, including alternative games or marks considered.

16. William T Odonnell Jr's ("Applicant") decision to begin offering his goods and services in the United States, including analysis conducted by the Applicant of the Applicant's Mark and actual perceived competitors.
17. The date(s) the Applicant's Mark was first used in commerce in the United States or globally, and the products or services on which it was used, and on which future use is it planned.
18. When William T Odonnell Jr's ("Applicant") first registered his Café Press site and started selling products, goods, and services.
19. Discussion of Café Press products and services William T Odonnell Jr ("Applicant") is using and has used in the past.
20. The nature of Café Press's products and services.
21. The types and products and services sold by William T Odonnell Jr ("Applicant") through Café Press Inc.
22. Why William T Odonnell Jr only started products online through Café Press Inc after the Opposer filed a cancellation proceeding against the Applicant's mark.